

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: CHAIRMAN JEFF ESSMANN, on January 22, 2009 at 8:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jeff Essmann, Chairman (R)
Sen. Taylor Brown, Vice Chairman (R)
Sen. Jerry W. Black (R)
Sen. Gary Branae (D)
Sen. Ron Erickson (D)
Sen. Kelly Gebhardt (R)
Sen. Bradley Hamlett (D)
Sen. Christine Kaufmann (D)
Sen. Bob Story Jr. (R)
Sen. Bruce Tutvedt (R)

Members Excused: Sen. Kim Gillan (D)

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 198, 1/14/2009

Executive Action: SB 21 DO PASS AS AMENDED

HEARING ON SB 198

Opening Statement by Sponsor:

00:01:07 **SEN. DAVE LEWIS (R), SD 42**, opened the hearing on
 SB 198, Tax biomass generation facilities up to 25
 megawatts as class 14 property.

Proponents' Testimony:

00:05:41 John Fitzpatrick, representing NorthWestern Energy
00:11:51 Ellen Simpson, representing Montana Wood Products
 Association
00:13:12 Jason Todhunter, representing Montana Logging
 Association (MLA)

00:14:13 Sen. Gillan arrived at the hearing

Opponents' Testimony: None

Informational Testimony:

00:14:30 Robert Johnson, Smurfit Stone Container, Missoula
00:16:23 Lee Baerlocher, Department of Revenue (DOR)

Questions from Committee Members and Responses:

00:16:54 Sen. Tutvedt
00:17:19 John Fitzpatrick, NorthWestern Energy
00:17:55 Sen. Tutvedt
00:18:04 John Fitzpatrick
00:19:54 Sen. Brown
00:20:28 Sen. Lewis
00:22:06 Sen. Black
00:22:29 Sen. Lewis
00:22:58 Sen. Erickson
00:23:42 John Fitzpatrick
00:25:50 Sen. Erickson
00:26:25 Robert Johnson, Smurfit Stone Container
00:27:52 Sen. Tutvedt
00:28:14 Jason Todhunter, MLA
00:29:28 Sen. Story
00:29:49 Lee Baerlocher, DOR
00:30:11 Sen. Story
00:30:28 Lee Baerlocher, DOR
00:31:40 Chairman Essmann
00:32:37 John Fitzpatrick
00:34:09 Sen. Gebhardt
00:34:50 Robert Johnson

Questions from Committee Members and Responses: (con't)

00:37:36 Sen. Gillan left hearing

00:37:46 Sen. Gebhardt

00:38:11 Robert Johnson

00:38:45 Sen. Story

00:39:01 Robert Johnson

Closing by Sponsor:

00:40:41 Sen. Dave Lewis

EXECUTIVE ACTION ON SB 21

00:42:33 **Motion:** Sen. Story moved that **SB 21 DO PASS.**

Discussion:

00:42:49 Sen. Story

00:43:28 **Motion:** Sen. Brown moved that **SB 21 BE AMENDED.**
EXHIBIT(tas15a01)

Discussion:

00:44:01 Lee Heiman, Legislative Services Division (LSD)

00:44:58 Sen. Kaufmann

00:46:11 **Vote:** Motion carried 6-5 by roll call vote with Sens. Branae, Erickson, Gillan, Hamlett, and Kaufmann voting no and Sen. Gillan voting by proxy.

00:47:19 **Motion:** Sen. Story moved that **SB 21 DO PASS AS AMENDED.**

Discussion:

00:47:28 Sen. Tutvedt

00:48:03 **Vote:** Motion carried unanimously by voice vote with Sen. Gillan voting by proxy.

Committee Business:

00:48:36 Chairman Essmann
00:50:19 Sen. Erickson
00:51:37 Sen. Tutvedt
00:52:04 Chairman Essmann
00:52:32 Sen. Erickson

Additional Exhibits:

EXHIBIT(tas15a02)

Informational letter from the Department of Revenue

EXHIBIT(tas15a03)

Testimony on SB 146 hear in committee on January 16, 2009

ADJOURNMENT

Adjournment: 8:55 A.M.

DEBRA POLHEMUS, Secretary

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Additional Exhibits:

EXHIBIT ([tas15aad.pdf](#))